

Notice of Allowability

Application No.

09/880,365

Applicant(s)

HANNA, MARK B.

Examiner

Jessica L. Rossi

Art Unit

1733

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview Summary, 3/22/05.
2. ☒ The allowed claim(s) is/are 12-14 and 25-33.
3. ☒ The drawings filed on 13 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>03222005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

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DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment dated 3/9/05. Claims 12-14 and 25-33 are pending. Claims 1-11 and 15-24 are cancelled.
2. Support for the limitations added to claim 12, lines 19-21 is found on p. 15, lines 18-22 and p. 17, lines 21-29. Support for the limitations in claim 13 is found on p. 7, lines 6-7.
3. The rejection of claims 12-14 and 25-33 under 35 U.S.C. 112 1st paragraph, as set forth in paragraph 5 of the previous office action dated 12/10/04, has been withdrawn in light of the present amendment (claim 12, lines 1-2) and Applicant's arguments dated 3/9/05 (p. 7, 2nd paragraph).
4. The rejection of claims 12-14 and 25-33 under 35 U.S.C. 112 2nd paragraph, as set forth in paragraph 7 of the previous office action, has been withdrawn in light of the present amendment (claim 12, lines 19-21) and the present examiner's amendment (claim 12, lines 30-31 and claim 14, lines 3-4; see attached interview summary also).

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Fish on 3/22/05.

6. The application has been amended as follows:

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Claim 12, line 31: “which is” was deleted after “material” and --made from a material-- was inserted.

Claim 14, line 3: “which is” was deleted after “material” and --made from a material-- was inserted.

7. The following is an examiner’s statement of **reasons for allowance**:

With respect to claim 12, and as set forth in paragraph 27 of the previous office action dated 12/10/04, the prior art fails to teach or suggest a method for providing a hermetic seal between a window and a frame having an opening therethrough wherein the process steps comprise providing an annular sealing section between and in contact with the window and the frame and extending completely around the opening of the frame, wherein the sealing section includes a first glass material in contact with the window and spaced from the frame, a second glass material made from a material different from the first glass material and being in contact with the frame and spaced from the window, with the first and second glass materials being in contact with each other between the window and the frame, **and a third glass material** made from a material different from the first and second glass materials and being **in contact with the frame and the window and disposed on a side of the first and second glass materials nearest the opening in the frame.**


8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **571-272-1223**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine R. Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jessica L. Rossi
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